

AMENDED IN ASSEMBLY JULY 2, 2008  
AMENDED IN ASSEMBLY JUNE 12, 2008  
AMENDED IN ASSEMBLY JUNE 5, 2008  
AMENDED IN ASSEMBLY JULY 17, 2007  
AMENDED IN ASSEMBLY JULY 2, 2007  
AMENDED IN SENATE JUNE 4, 2007  
AMENDED IN SENATE MAY 22, 2007  
AMENDED IN SENATE MAY 15, 2007  
AMENDED IN SENATE MAY 2, 2007

**SENATE BILL**

**No. 658**

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**Introduced by Senator Romero**  
**(Coauthor: Senator Perata)**  
*(Coauthors: Assembly Members Bass and Nunez)*

February 22, 2007

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An act to add Sections ~~42270 and 42271~~ “42270, 42271, and 47614.7” to, and to repeal Article 3 (commencing with Section 42260) of Chapter 7 of Part 24 of Division 3 of Title 2 of, the Education Code, relating to school facilities, *and declaring the urgency thereof, to take effect immediately.*

LEGISLATIVE COUNSEL’S DIGEST

SB 658, as amended, Romero. School facilities.

Existing law establishes the Year-Round School Grant Program to provide financial assistance to school districts operating year-round educational programs. The State Department of Education, in

consultation with school districts, the Department of Finance, the Legislative Analyst's Office, and other affected parties, is required to conduct a study of the grant program to develop an equitable method of phasing out the program over a multiyear period.

Existing law establishes the Charter School Facility Grant Program to provide assistance with facility rent and lease costs for pupils in charter schools and states the intent of the Legislature that not less than \$18,000,000 annually be appropriated for purposes of the program.

This bill would phase out the Year-Round School Grant Program over a 4-year period by reducing grant amounts by 20% each fiscal year commencing with the 2008–09 fiscal year, would prohibit the Superintendent of Public Instruction from approving new year-round school grants, and would require ~~the funds for the Charter School Facility Grant Program be augmented in the annual Budget Act in that the Budget Act for the 2008–09 fiscal year and the Budget Acts for each fiscal year thereafter appropriate to the State Department of Education~~ an amount equal to the *amount appropriated for the program for the 2007–08 fiscal year, plus the amount equal to the reduction in funding* for the Year-Round School Grant Program. If the Budget Act of 2008 is enacted before this bill and does not reflect the ~~augmentation~~ *reallocation*, or if the Budget Act for any of the 2009–10 to 2012–13 fiscal years, inclusive, does not reflect the ~~augmentation~~ *reallocation*, the Director of Finance would be required to transfer a specified amount appropriated in the Budget Act for the Year-Round School Grant Program to the Charter School Facility Grant Program to accomplish the reallocation of funding.

The bill would make the Year-Round School Grant Program inoperative on July 1, 2013, and would repeal it on January 1, 2014.

*This bill would declare that it is to take effect immediately as an urgency statute.*

Vote: ~~majority~~<sup>2/3</sup>. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 42270 is added to the Education Code,
- 2 to read:
- 3 42270. A school district that received a grant pursuant to this
- 4 article for the 2007–08 fiscal year shall:

1 (a) Be exempt from the increase in school building capacity  
2 required pursuant to Section 17071.35.

3 (b) Have its year-round school grant phased out over a four-year  
4 period. The school district shall receive amounts according to the  
5 following schedule:

6 (1) For the 2008–09 fiscal year, 80 percent of the amount  
7 received in the 2007–08 fiscal year.

8 (2) For the 2009–10 fiscal year, 60 percent of the amount  
9 received in the 2007–08 fiscal year.

10 (3) For the 2010–11 fiscal year, 40 percent of the amount  
11 received in the 2007–08 fiscal year.

12 (4) For the 2011–12 fiscal year, 20 percent of the amount  
13 received in the 2007–08 fiscal year.

14 (5) For the 2012–13 fiscal year and each fiscal year thereafter,  
15 zero percent of the amount received in the 2007–08 fiscal year.

16 (c) Notwithstanding any other law, commencing with the  
17 2008–09 fiscal year, the Superintendent shall not approve new  
18 year-round school grants.

19 SEC. 2. Section 42271 is added to the Education Code, to read:

20 42271. This article shall become inoperative on July 1, 2013,  
21 and, as of January 1, 2014, is repealed, unless a later enacted  
22 statute, that becomes operative on or before January 1, 2014,  
23 deletes or extends the dates on which it becomes inoperative and  
24 is repealed.

25 SEC. 3. Section 47614.7 is added to the Education Code, to  
26 read:

27 47614.7. (a) The Budget Act for the 2008–09 fiscal year and  
28 the Budget Acts for each fiscal year thereafter shall appropriate  
29 to the department for the purpose of the Charter School Facility  
30 Grant Program, as set forth in Section 47614.5, an amount equal  
31 to the amount appropriated for the program in the 2007–08 fiscal  
32 year, plus the amount equal to the reduction in funding for the  
33 Year-Round School Grant Program (Article 3 (commencing with  
34 Section 42260) of Chapter 7 of Part 24 of Division 3) associated  
35 with the reduction in the grants for year-round schools that is set  
36 forth in Section 42270.

37 (b) If this act is enacted after the Budget Act of 2008 is enacted  
38 and if the Budget Act of 2008 does not reflect the reallocation of  
39 funds as specified in subdivision (a), the Director of Finance, upon  
40 notice to the Joint Legislative Budget Committee, shall transfer

1 20 percent of the amount appropriated in Item 6110-224-0001 to  
2 Item 6110-220-0001 of Section 2.00 of the Budget Act of 2008 to  
3 accomplish the reallocation of funding specified in subdivision  
4 (a).

5 (c) If the Budget Act for any of the 2009–10 to 2012–13 fiscal  
6 years, inclusive, does not reflect the reallocation of funds specified  
7 in subdivision (a), the Director of Finance, upon notice to the Joint  
8 Legislative Budget Committee, shall transfer an amount  
9 appropriated in Item 6110-224-0001 of Section 2.00 of the Budget  
10 Act for any of those fiscal years, as applicable, to Item  
11 6110-200-0001 of Section 2.00 of the Budget Act for that fiscal  
12 year in order to accomplish the reallocation of funds specified in  
13 subdivision (a). The total amount of the reallocation in each fiscal  
14 year pursuant to this subdivision shall be no less than the  
15 applicable amount specified in the following schedule:

16 (1) For the 2009–10 fiscal year, 40 percent of the amount  
17 expended from Item 6110-224-0001 of Section 2.00 of the Budget  
18 Act of 2007.

19 (2) For the 2010–11 fiscal year, 60 percent of the amount  
20 expended from Item 6110-224-0001 of Section 2.00 of the Budget  
21 Act of 2007.

22 (3) For the 2011–12 fiscal year, 80 percent of the amount  
23 expended from Item 6110-224-0001 of Section 2.00 of the Budget  
24 Act of 2007.

25 (4) For the 2012–13 fiscal year, 100 percent of the amount  
26 expended from Item 6110-224-0001 of Section 2.00 of the Budget  
27 Act of 2007.

28 (d) It is the intent of the Legislature that the funding level for  
29 the Charter Schools Facility Grant Program for the 2012–13 fiscal  
30 year be considered the base level of funding for subsequent fiscal  
31 years.

32 SEC. 4. This act is an urgency statute necessary for the  
33 immediate preservation of the public peace, health, or safety within  
34 the meaning of Article IV of the Constitution and shall go into  
35 immediate effect. The facts constituting the necessity are:

36 In order for the shift of funds to take effect for the entire 2008–09  
37 fiscal year, it is necessary that this act take effect immediately.

38 ~~SEC. 3. (a) The Budget Act for the 2008–09 fiscal year and~~  
39 ~~the Budget Acts for each fiscal year thereafter shall reflect an~~  
40 ~~augmentation of funds for the Charter School Facility Grant~~

Program, as set forth in Section 47614.5 of the Education Code, that is equal to the base program, which is the amount expended in the program for claims from the 2007–08 school year, plus an amount equal to the reduction in funding for the Year-Round School Grant Program (Article 3 (commencing with Section 42260) of Chapter 7 of Part 24 of Division 3 of Title 2 of the Education Code) associated with the reduction in the grants for year-round schools that is set forth in Section 42270 of the Education Code.

(b) If this act is enacted after the Budget Act of 2008 is enacted and if the Budget Act of 2008 does not reflect the reallocation of funds as specified in subdivision (a), the Director of Finance, upon notice to the Joint Legislative Budget Committee, shall transfer 20 percent of the amount appropriated in Item 6110-224-0001 to Item 6110-220-0001 of Section 2.0 of the Budget Act of 2008 to accomplish the reallocation of funding specified in subdivision (a).

(c) If the Budget Act for any of the 2009–10 to 2012–13 fiscal years, inclusive, does not reflect the allocation of funds specified in subdivision (a), the Director of Finance, upon notice to the Joint Legislative Budget Committee, shall transfer an amount appropriated in Item 6110-224-0001 of Section 2.00 of the Budget Act for any of those fiscal years, as applicable, to Item 6110-220-0001 of Section 2.00 of the Budget Act for that fiscal year in order to accomplish the reallocation of funding specified in subdivision (a). The total amount of the reallocation in each fiscal year pursuant to this subdivision shall be no less than the applicable amount specified in the following schedule:

(1) For the 2009–10 fiscal year, 40 percent of the amount expended from Item 6110-224-0001 of Section 2.00 of the Budget Act of 2007.

(2) For the 2010–11 fiscal year, 60 percent of the amount expended from Item 6110-224-0001 of Section 2.00 of the Budget Act of 2007.

(3) For the 2011–12 fiscal year, 80 percent of the amount expended from Item 6110-224-0001 of Section 2.00 of the Budget Act of 2007.

(4) For the 2012–13 fiscal year, 100 percent of the amount expended from Item 6110-224-0001 of Section 2.00 of the Budget Act of 2007.

1     ~~(d) It is the intent of the Legislature that the funding level for~~  
2     ~~the Charter Schools Facility Grant Program for the 2012=13 fiscal~~  
3     ~~year be considered the base level of funding for subsequent fiscal~~  
4     ~~years.~~

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